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Empire Leaseholder LLC, and Empire Wind 2 LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

PROTECT OUR COAST NJ, *et al.*,

*Plaintiffs,*

v.

THE UNITED STATES OF AMERICA, *et al.*,

*Defendants.*

Case No. 3:25-cv-06890-GC-TJB

Judge Georgette Castner  
Magistrate Judge Tonianne J.  
Bongiovanni

**CONSENT MOTION TO  
EXTEND EMPIRE WIND  
DEFENDANTS' DEADLINE TO  
RESPOND TO THE AMENDED  
COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Rule 6.1(a), Defendants Empire Offshore Wind LLC, Empire Leaseholder LLC, and Empire Wind 2 LLC (collectively, "Empire Wind") respectfully request an extension of time to respond to the Amended Complaint. Plaintiffs filed their Original Complaint on June 3, 2025, and their Amended Complaint on July 4, 2025. Dkt. Nos. 1, 33. Empire Wind's deadline to respond to the Amended Complaint is July 18, 2025, pursuant to Federal Rule of Civil Procedure 15(a)(3). Although Plaintiffs have not

yet filed proof of service on the docket, Empire Wind understands the United States of America, Doug Burgum, the Bureau of Ocean Energy Management, and Walter Cruickshank (collectively, the “Federal Defendants”) were served on June 25, 2025, making their deadline to respond August 25, 2025, pursuant to Federal Rules of Civil Procedure 12(a)(2) and 15(a)(3).<sup>1</sup> Empire Wind asks that the Court align Empire Wind’s response deadline with that of Federal Defendants. Good cause exists to grant the extension, as it will serve the interest of judicial efficiency by providing Empire Wind and the Federal Defendants the opportunity to align their arguments and reduce duplication across filings.

Empire Wind has not made any previous requests to extend the deadline to respond to the Amended Complaint and no such request has been granted. Both Plaintiffs and the Federal Defendants consent to the requested extension.

Date: July 10, 2025

Respectfully submitted,

/s/ David J. Ball  
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<sup>1</sup> The Federal Defendants’ deadline to respond to the Original Complaint pursuant to Federal Rule of Civil Procedure 12(a)(2) is August 25, 2025, 60 days after they were served. Federal Rule of Civil Procedure 15(a)(3) provides that a party’s response to an amended complaint “must be made within the time remaining to respond to the original pleading or within 14 days after service of the amended pleading, whichever is later.” Thus, the Federal Defendants’ deadline to respond to Plaintiffs’ Amended Complaint remains August 25, 2025, following Plaintiffs’ filing of proof of service on the docket.

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